**South Carolina General Assembly**

119th Session, 2011-2012

**S. 1051**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Verdin, Elliott and Rose

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Introduced in the Senate on January 10, 2012

Currently residing in the Senate Committee on **Judiciary**

Summary: Residential Landlord and Tenant Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/5/2011 Senate Prefiled

12/5/2011 Senate Referred to Committee on **Judiciary**

1/10/2012 Senate Introduced and read first time ([Senate Journal‑page 29](file:///h:\sj%20archive\2012\01-10-12.docx))

1/10/2012 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 29](file:///h:\sj%20archive\2012\01-10-12.docx))

1/9/2012 Senate Referred to Subcommittee: Malloy (ch), Ford, Massey, S.Martin

**VERSIONS OF THIS BILL**

[12/5/2011](file:///p:\pprever\2011-12\1051_20111205.docx)

**A** **BILL**

TO AMEND CHAPTER 40, TITLE 27 OF THE 1976 CODE, RELATING TO THE RESIDENTIAL LANDLORD AND TENANT ACT, BY ADDING SECTION 27‑40‑550 TO PROVIDE THAT A TENANT MAY NOT HARM THE PREMISES IN RETALIATION FOR A LANDLORD INITIATING AN EJECTMENT PROCEEDING; AND BY ADDING SECTION 27‑40‑810 TO PROVIDE THAT A TENANT THAT HARMS THE PREMISES IN RETALIATION FOR THE LANDLORD INITIATING AN EJECTMENT PROCEEDING MUST MAKE THE NECESSARY REPAIRS OR REIMBURSE THE LANDLORD FOR THE COSTS OF THE REPAIRS IF THE LANDLORD REPAIRS THE DAMAGES AND TO PROVIDE THAT THE LANDLORD MAY RECOVER THE COSTS OF THE REPAIRS AND ATTORNEY’S FEES IF THE TENANT DOES NOT REIMBURSE HIM.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 40, Title 27 of the 1976 Code is amended by adding:

“Section 27‑40‑550. A tenant may not destroy, deface, damage, impair, or remove any part of the premises or permit any person to do so who is on the premises with the tenant’s permission or who is allowed access to the premises in retaliation for the landlord initiating ejectment proceedings pursuant to Chapter 37, Title 27.”

SECTION 2. Chapter 40, Title 27 of the 1976 Code is amended by adding:

“Section 27‑40‑810. (A) If there is noncompliance by the tenant with Section 27‑40‑550 that can be remedied by repair, replacement of a damaged item, or cleaning, and the tenant fails to comply within fourteen days after written notice by the landlord specifying the breach and requesting that the tenant remedy it within that period of time, the landlord may enter the dwelling unit and cause the work to be done in a workmanlike manner and the tenant shall reimburse the landlord for the cost and, in addition, the landlord shall have the remedies available under this chapter.

(B) If a tenant does not reimburse the landlord for costs incurred pursuant to subsection (A) within thirty days of the completion of the work, the landlord may recover the costs and reasonable attorney’s fees.”

SECTION 3. This act takes effect upon approval by the Governor.

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